

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK _ _ _ _
RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

24-mc-00353-LJL

-and-

ORDER TO SHOW CAUSE

GLOBAL DATA RISK, LLC,

Plaintiff-Intervenor
Applicant,

-against-

RUDOLPH W. GIULIANI,

Defendant,

-and-

ANDREW H. GIULIANI,

Intervenor-Defendant.

_ _ _ _ _

UPON the Declaration of Erik Laykin dated February 11, 2025 and the exhibits thereto, and upon all prior proceedings had herein and in *Freeman v. Giuliani*, 24-cv-6563 (S.D.N.Y., complaint filed Aug. 30, 2024) and in *In re Rudolph W. Giuliani*, Case No. 23-12055 (Bankr. S.D.N.Y., petition filed Dec. 21, 2023); and

IT BEING ALLEGED:

A. Global Data Risk, LLC holds a continuing, valid, binding, enforceable, non-avoidable and properly perfected security interest in and lien on defendant Rudolph W. Giuliani's 1,430 shares of stock in, and the proprietary lease for, Apartment 10W with 45 East 66th Owners Corp. (the "Apartment");

B. Plaintiffs Ruby Freeman and Wandrea' Moss have been appointed in this case by Hon Lewis J. Liman as receivers of the shares, the proprietary lease, and other documents entitling Giuliani to ownership and possession of the Apartment;

C. Global Data Risk, LLC holds a final administrative claim of \$306,095.57 allowed by Hon. Sean H. Lane by Order dated October 3, 2024 in the bankruptcy case of *In re Rudolph W. Giuliani*, Case No. 23-12055 (Bankr. S.D.N.Y., petition filed Dec. 21, 2023) (the “Administrative Claim”);

D. By Order dated August 2, 2024, Giuliani’s bankruptcy case was dismissed, Giuliani was required to pay \$100,000 cash against the Administrative Claim, and the balance of the Administrative Claim was to be paid from the proceeds of the sale of the Apartment;

E. Giuliani paid \$100,000 to Global Risk Data, LLC, but the balance of the administrative claim – \$206,095.57 – remains outstanding;

F. Plaintiffs and Giuliani now propose to settle this case and a related declaratory judgment action, *Freeman v. Giuliani*, 24-cv-6563 (S.D.N.Y., complaint filed Aug. 30, 2024), without selling the Apartment and without making any allowance for the full payment of the administrative claim;

G. Since the dismissal of his bankruptcy case, Giuliani has de-listed the Apartment for sale, and plaintiffs do not intend to fulfill their fiduciary obligations as receivers to sell the Apartment and pay a portion of the proceeds to satisfy the balance of the Administrative Claim;

H. The parties’ proposed disposition of this case will impair or impede the ability of Global Data Risk, LLC to protect its interest in the Apartment and to recover the balance of the Administrative Claim;

I. Neither plaintiffs nor Giuliani will adequately protect the interest of Global Data Risk, LLC in this case;

LET plaintiffs Ruby Freeman and Wandrea' Moss and defendant Rudolph W. Giuliani show cause before this Court at the United States Courthouse, 500 Pearl Street, Courtroom 15C, New York, New York 10007, on February __, 2025 at _____, or as soon thereafter as counsel may be heard, why an order should not be made and entered:

1. under Rule 24 of the Federal Rules of Civil Procedure, allowing Global Risk Data, LLC to intervene as a plaintiff in this case;

2. under Rule 69 of the Federal Rules of Civil Procedure and sections 5225 and 5228 of the New York Civil Practice Law & Rules, directing plaintiffs or defendant to deliver to Global Risk Data, LLC the 1,430 shares of stock in, and the proprietary lease for, Apartment 10W with 45 East 66th Owners Corp., and appointing Global Risk Data, LLC as the receiver thereof;

3. granting to Global Risk Data, LLC such other, further, and different relief the Court deems just and proper; and it is further

ORDERED, that, sufficient cause appearing therefor, service of a copy of this Order to Show Cause and the papers upon which it is based shall be deemed sufficient if made by e-mail upon plaintiffs' counsel (Aaron E Nathan of Willkie Farr & Gallagher LLP [anathan@willkie.com] and Rachel Elizabeth Goodman of Protect Democracy [rachel.goodman@protectdemocracy.org]), defendant's counsel (Joseph M. Cammarata of Cammarata & DeMeyer, P.C. [Joe@CDLawPC.com]), and counsel for intervenor-defendant Andrew H. Giuliani (Scott B. McBride of Lowenstein Sandler LLP [smcbride@lowenstein.com]) on or before February __, 2025; and it is further

ORDERED that answering papers, if any, shall be filed on the Official Court Electronic Document Filing System or before February __, 2025; and it is further

ORDERED that reply papers, if any, shall be filed on the Official Court Electronic Document Filing System on or before February __, 2025.

Dated: New York, New York
February __, 2025

E N T E R:

United States District Judge